

## EXHIBIT 5

**Subject:** Re: [Oura Health Oy v. Circular SAS] [C347.L22611]  
**Date:** Wednesday, May 18, 2022 at 4:48:37 PM Pacific Daylight Time  
**From:** Jonathan Pearce  
**To:** Jay Yates  
**CC:** Kyrie Cameron, Karen Mowery, Elisha D. Manzur  
**Attachments:** image001.jpg

Jay,

I am conferring with prospective local counsel in the W.D. Tex. So, I apologize for the delay in responding. My concern is two pronged, and I am unfortunately unlikely to take your advice on this, so I will need to find my own local counsel before I can respond.

1. The waiver of service is **60 days**, not 90 days, and is set by the Federal Rules.
2. I am suspicious that Judge Albright would be interested that thirty day extension or potentially a 60 day one, but have not appeared in the W.D. Tex. that I recall. So, I will discuss once I have spoken to my preferred local counsel about that.

If my delay is too much – I don't know when those I have contacted will return my calls – then you should proceed accordingly. Or, if you have ideas how to remedy this and give my client comfort that it will be 120 days to respond, then I am happy to hear them.

Kind regards,

/jonathan pearce/

Jonathan Pearce  
SoCal IP Law Group LLP  
(805) 267-2266  
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**From:** Jay Yates <[JYates@pattersonsheridan.com](mailto:JYates@pattersonsheridan.com)>  
**Date:** Wednesday, May 18, 2022 at 8:37 AM  
**To:** Jonathan Pearce <[jpearce@socalip.com](mailto:jpearce@socalip.com)>  
**Cc:** Kyrie Cameron <[KCameron@pattersonsheridan.com](mailto:KCameron@pattersonsheridan.com)>, Karen Mowery <[kMowery@pattersonsheridan.com](mailto:kMowery@pattersonsheridan.com)>, "Elisha D. Manzur" <[elisham@socalip.com](mailto:elisham@socalip.com)>  
**Subject:** RE: [Oura Health Oy v. Circular SAS] [C347.L22611]

Jonathan,

Following up on your voicemail, I think we have an agreement.

You will sign the acceptance of service on behalf of your client (setting your deadline to respond as 90 days from 5/12/2022).

Oura will not oppose Defendant's motion to extend its deadline to answer or otherwise respond an additional 30 days (90 days + 30 days = 120 days).

Please let me know if you would like to discuss further.

Thank you,  
Jay

**Jay Yates • Partner**  
**PATTERSON + SHERIDAN LLP**  
**24 Greenway Plaza, Suite 1600, Houston, TX 77046**  
**Main:** 713.623.4844 Ext 2163  
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**From:** Jonathan Pearce <[jpearce@socalip.com](mailto:jpearce@socalip.com)>  
**Sent:** Monday, May 16, 2022 1:25 PM  
**To:** Jay Yates <[JYates@pattersonsheridan.com](mailto:JYates@pattersonsheridan.com)>  
**Cc:** Kyrie Cameron <[KCameron@pattersonsheridan.com](mailto:KCameron@pattersonsheridan.com)>; Karen Mowery <[kMowery@pattersonsheridan.com](mailto:kMowery@pattersonsheridan.com)>; Elisha D. Manzur <[elisham@socalip.com](mailto:elisham@socalip.com)>  
**Subject:** Re: [Oura Health Oy v. Circular SAS] [C347.L22611]

**[CAUTION] External Email. Please do not click links or open attachments unless the source is trusted or has been verified.**

Jay,

It's a pleasure to meet you. Though, perhaps these are less-than-ideal circumstances for a new introduction.

I am afraid I cannot accept service on Circular's behalf. I am not even sure if I will be their counsel for the litigation. But, thank you for providing a copy of the complaint.

However, as I did indicate to your client in our single correspondence, this dispute seems unlikely to wind up quickly in the absence of some compromise resolution. So, I would be happy to hear what your client envisions as a resolution to this dispute.

Kind regards,

/jonathan pearce/

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**From:** Jay Yates <[JYates@pattersonsheridan.com](mailto:JYates@pattersonsheridan.com)>  
**Date:** Thursday, May 12, 2022 at 1:59 PM  
**To:** Jonathan Pearce <[jpearce@socalip.com](mailto:jpearce@socalip.com)>  
**Cc:** Kyrie Cameron <[KCameron@pattersonsheridan.com](mailto:KCameron@pattersonsheridan.com)>, Karen Mowery

<[kMowery@pattersonsheridan.com](mailto:kMowery@pattersonsheridan.com)>

**Subject:** [Oura Health Oy v. Circular SAS]

Mr. Jonathan Pearce,

We represent Oura Health Oy and understand you and your firm represent Circular SAS in the patent dispute between our clients, which has now been filed in the Western District of Texas. Will you accept service on behalf of your client?

Please find attached:

- a Rule 4 Notice of Lawsuit and Request to Waive Service of Summons;
- the Waiver of the Service of Summons (first copy);
- the Waiver of the Service of Summons (second copy);
- the Original Complaint for Patent Infringement (Dkt. 1), including exhibits;
- the Civil Cover sheet (Dkt. 1-15);
- Plaintiff's Corporate Disclosure Statement (Dkt. 2); and
- Form AO 120 (Dkt. 3).

These are being mailed to you at your office, along with a self-addressed stamped envelope to return the signed waiver.

We look forward to working with you on this matter. Please do not hesitate to phone or email.

Regards,  
Jay Yates

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